

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

December 13, 2011

Lyle W. Cayce  
Clerk

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No. 11-50127  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

MANUEL OLIVAS-GUEVARA,

Defendant - Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 3:10-CR-2725-1

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Before BARKSDALE, STEWART, and PRADO, Circuit Judges.

PER CURIAM:\*

Manuel Olivas-Guevara appeals his 87-month sentence following his guilty-plea conviction for illegal reentry after removal, in violation of 8 U.S.C. § 1326. Olivas contends the district court erred by enhancing his base offense level 16 levels, claiming his Texas conviction for delivery of cocaine does not constitute a drug-trafficking offense under Sentencing Guideline § 2L1.2(b)(1)(A)(i).

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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As he concedes, because Olivas did not raise this issue in district court, review is only for plain error. *E.g.*, *United States v. Henao-Melo*, 591 F.3d 798, 801 (5th Cir. 2009). Olivas has not shown error because his contention is foreclosed by *United States v. Marban-Calderon*, 631 F.3d 210, 212-13 (5th Cir.), *cert. denied*, 2011 WL 4530529 (3 Oct. 2011) (No. 10-10132) (holding Texas conviction for delivery of controlled substance, such as cocaine, qualifies as drug-trafficking offense under Guideline § 2L1.2(b)(1)(A)(i)).

AFFIRMED.